

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
NAGI ALJAHMI,

Plaintiff,

-against-

1738 FINEST DELI INC and ABDULLAH
ALJAHMI,

Defendants.

ANALISA TORRES, District Judge:

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 3/1/2023

22 Civ. 4138 (AT)

ORDER

On May 24, 2022, the Court directed the parties to submit a joint letter and proposed case management plan by September 21, 2022. ECF No. 6. The Court has extended this deadline eight times, to February 28, 2023. *See* ECF Nos. 12, 14, 16, 18, 20, 22, 25, 27. On February 28, 2023, Plaintiff filed a proposed case management plan, but Defendant Abdullah Aljahmi has not consented to the proposed plan. ECF No. 28. The proposed case management plan must be filed jointly.

Plaintiff states that Defendant Aljahmi has been in contact with Plaintiff's counsel. *See* ECF Nos. 11, 21, 24, 26. Aljahmi has expressed his intent to appear *pro se*. *See* ECF Nos. 14, 16, 21-1, 23. But, Aljahmi has not filed a notice of appearance and has repeatedly failed to comply with Court orders. On November 28, 2022, Plaintiff requested that the Court issue an order requiring Defendant Aljahmi to cooperate with Plaintiff in submitting a joint letter and proposed case management plan. ECF No. 19. The Court issued an order on November 29, 2022, directing Defendant Aljahmi to cooperate. ECF No. 20. On December 14, 2022, upon Plaintiff's request, the Court issued a second order directing Defendant Aljahmi to cooperate and stating that failure to do so may result in contempt proceedings and sanctions. ECF No. 22. Defendant Aljahmi continues to be uncooperative. *See* ECF No. 28.

Further, Defendant 1738 Finest Deli Inc. ("Finest") has not appeared in this action. Defendant Finest was advised that, if it did not appear, Plaintiff may move for default. ECF No. 20. Defendant Finest was also advised that it may not proceed *pro se*, and was directed to retain counsel and file a notice of appearance by February 13, 2023. ECF No. 22. Defendant Finest has not appeared. On December 14, 2022, Defendant Aljahmi filed an answer purportedly on behalf of both Defendants. *See* ECF No. 23 (using plural "Defendants" and "we").

Accordingly:

1. By **March 8, 2023**, Plaintiff shall move for default against Defendant Finest.
2. By **March 15, 2023**, Defendant Aljahmi shall file a notice of appearance. A template is attached to this order as Appendix A.
3. Defendant Aljahmi is advised that he may obtain free legal assistance from the New York Legal Assistance Group (NYLAG). Contact information for NYLAG is attached in Appendix B.

4. Defendant Aljahmi is advised that he must comply with Court orders. Failure to do so will result in contempt proceedings.
5. By **March 22, 2023**, the parties shall file a joint letter and proposed case management plan. **Defendant Aljahmi is directed to cooperate with Plaintiff in preparing these joint submissions. Failure to cooperate will result in contempt proceedings.**

The Clerk of Court is directed to mail a copy of this order to Defendant Aljahmi *pro se* at 7729 Kentucky St, Dearborn, MI 48126. Plaintiff is also directed to provide a copy of this order to Defendant Aljahmi using the same contact information Plaintiff has been using to communicate with Defendant Aljahmi.

SO ORDERED.

Dated: March 1, 2023
New York, New York



ANALISA TORRES
United States District Judge

Appendix A

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

(In the space above enter the full name(s) of the plaintiff(s)/petitioner(s).)

- against -

____ Civ. ____ () ()

NOTICE OF APPEARANCE

(In the space above enter the full name(s) of the defendant(s)/respondent(s).)

Please take notice that I, _____, a defendant in
(name)
this action, hereby appear *pro se* and that all future correspondence and papers in connection with
this action are to be directed to me at the address indicated below.

Dated: _____, _____
(town/city) (state)
_____, 20__

Signature of Defendant

Address

City, State & Zip Code

Telephone Number

Fax Number (if you have one)



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Free Legal Assistance for Self-Represented Civil Litigants in Federal District Court for the Southern District Of New York

The NYLAG Legal Clinic for Pro Se Litigants in the Southern District of New York is a free legal clinic staffed by attorneys, law students and paralegals to assist those who are representing themselves or planning to represent themselves in civil lawsuits in the Southern District of New York. The clinic does not provide full representation. The clinic, which is not part of or run by the court, assists litigants with federal civil cases including cases involving civil rights, employment discrimination, labor law, social security benefits, foreclosure and tax.

To Contact the Clinic:

Call (212) 659-6190 or complete our online intake form (found here: <https://tinyurl.com/NYLAG-ProSe-OI>). A staff member will contact you within a few business days.

Those looking for assistance can also contact the clinic at the kiosk located across the hall from the pro se clinic office in the courthouse.

At this time, the clinic offers remote consultations only. Requests for in-person appointments will be reviewed on a case-to-case basis.

Location and Hours:

Thurgood Marshall United States Courthouse

Room LL22
40 Centre Street
New York, NY 10007
(212) 659 6190

Open weekdays
10 a.m. – 4 p.m.
Closed on federal and court holidays

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Services Provided for Self-Represented Litigants in the Southern District of New York

The NYLAG Legal Clinic for Pro Se Litigants in the Southern District of New York provides free limited legal assistance to individuals who are representing themselves or planning to represent themselves in civil lawsuits